IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE THIRTIETH DAY OF AUGUST
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE K.C. BHANU

WRIT PETITION No. 12743 of 2005

Between:

Alluri Lakshmi

..... PETITIONER

AND

UCO Bank, Rep. by its Branch Manager,

Attili Branch, Anjaneya Swamy Temple Street,

Attili, West Godavzari District and 2 others

.....RESPONDENTS

ORDER:

Seeking a Mandamus declaring the action of the 1st respondent in refusing to pay the maturity amounts to the petitioner under Kuber Yojana Deposit Scheme Deposit Receipt No.405542/55/02, dated 09.03.2002 and another deposit Receipt No.405545/57/02, dated 13.03.2002, as illegal and arbitrary, the present writ petition is filed.

It is the case of the petitioner that she made two deposits in the 1st respondent Bank under Kuber Yojana Deposit Scheme, one for an amount of Rs.1,06,000/- under Deposit Receipt No.405542/55/02, dated 09.03.2002 with the maturity date of 09.03.2003, another one for an amount of Rs.1,08,000/- under Deposit Receipt No.405545/57/02 with the maturity date of 13.03.2003. In the meanwhile she stood as surety for on Mr.P.Satyam for a period of one year. After maturity of deposits, she approached the respondent to withdraw the amounts, but the

1st respondent refused to pay the deposits. The petitioner got issued a legal notice on 13.03.2005, for which the 1st respondent gave reply on 26.03.2005 suggesting the petitioner to take back the deposit amounts. But when the petitioner approached the 1st respondent, the bank officials refused to pay the deposit amounts. Hence the writ petition.

Heard the learned counsel on either side.

The respondent bank itself would like to pay the fixed deposit amounts to the petitioner or can permit the petitioner to withdraw the same by virtue of reply dated 26.03.2005 issued to the legal notice of the petitioner. But the grievance of the petitioner is that when she approached the 1st respondent, the bank officials have not permitted her to withdraw the deposit amounts.

Having regard to the facts and circumstances of the case, without entering into the merits of the case, I deem it appropriate to direct the respondents to pay the fixed deposit amounts to the petitioner or permit her to withdraw the same, within a period

of 4 (four) weeks from the date of receipt of a copy of this order.

With the above directions, the Writ Petition is disposed of. No order as to costs.

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K.C. BHANU,J

Dated: 30.08.2005

Dsr

Note:

Issue CC by tomorrow

B/o

Dsr